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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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08/909,001

08/08/1997

FULPS VINCENTINUS VERMEER

CASE-2

1102

47547

7590

11/28/2007

SYNNESTVEDT & LECHNER LLP-AGERE

1101 MARKET STREET

SUITE 2600

PHILADELPHIA, PA 19107-2950

EXAMINER

TRAN, PABLO N

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

11/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

08/909,001

Applicant(s)

VERMEER, FULPS VINCENTINUS

Examiner

Pablo N. Tran

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-7, and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huttunen et al. (5,903,850) in view of Wills et al. (5,307,053).

As per claims 1-2 and 4, Huttunen et al. disclose a wireless terminal comprising an antenna (fig. 7/no. 2,32), a radio (fig. 7/no. 1,31), a cable (fig. 2/no. 6,8, fig. 4/no. 6,38) that is detachably connected to said radio and that is also connected to said antenna for carrying an RF signal (fig. 2/no. 9, fig. 4/no. 39) and for carrying a baseband signal (fig. 2/no. 10, col. 3/ln. 20-30) from said radio to said indications (col. 3/ln. 20-col. 6/ln. 12).

Huttunen et al. disclose data tx/rx, control, and status signals (col. 5/ln. 50-59) but do not specifically suggested a transmitting visual indicator to indicate that the radio is transmitting and stops providing visual indication when the radio is receiving. Wills et al. suggested such utilization of a transmitting indicator (col. 4/ln. 64-66, col. 10/ln. 3-32). Therefore, it would have obvious to one of ordinary skill in the art at the time to

provide such a transmitting indicator, as taught by Wills et al., to the mobile phone of Huttunen et al. in order for the user to easily determine the status of the communication signal at any given time.

As per claims 5 and 10-11, as stated above in claim 1, the modified apparatus of Huttunen et al. and Wills et al. further disclose a transmitting indicator (col. 4/ln. 64-66, col. 10/ln. 3-18) and a receiving indicator (col. 4/ln. 64-col. 5/ln. 11).

As per claims 6-7 and 9, as stated above in claim 1, the modified apparatus of Huttunen et al. and Wills et al. further disclose a receiving visual indicator to indicate that the radio is receiving and stops providing visual indication when the radio is transmitting (col. 4/ln. 64-col. 5/ln. 11).

3. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huttunen et al. (5,903,850) in view of Wills et al. (5,307,053) and further in view of Stein (5,628,055).

As per claim 3 and 8, the modified communication apparatus of Huttunen et al. and Wills et al. lack said radio is integral to a PC radio card. Stein discloses said radio is integral to a PC radio card (fig. 10/no. 131). Therefore, it would have obvious to one of ordinary skill in the art at the time to provide a modular radio communications system as taught by Stein to the modified communication apparatus of Huttunen et al. and Moore in order to enable PC readily radio communicate with other networks.

Response to Arguments

4. Applicant's arguments filed 09/17/07 have been fully considered but they are not persuasive.

The Applicant's stated that " Wills, however, fails to teach a first visual indicator that provides a visual indication to a user of said wireless terminal when a radio is transmitting and stops providing said visual indication when said radio is receiving and that there is only one visual indicator". In response to the Applicant, Wills teach that in the transmit mode, LED 634 is turn-on, and in the receive mode, LED 634 is turn-off and LED 602 is turn-on (see Wills col. 10/ln. 3-32). Therefore, the rejection is proper.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (571)272-7898. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571)272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) System. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-directauspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PABLO N. TRAN
PRIMARY EXAMINER

November 14, 2007



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